

Applicant:

MARK A. SCHULTZ

For:

"APPARATUS AND METHOD FOR DRAINING  
CLEANING AND FILLING AN AQUARIUM"



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS [37 CFR 1.9(f) AND 1.27(b)] - SOLE INVENTOR**

As below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: "APPARATUS AND METHOD FOR DRAINING, CLEANING AND FILLING AN AQUARIUM", described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any right in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

LEE'S AQUARIUM & PET PRODUCTS

294 LA MOREE ROAD

SAN MARCOS, CALIFORNIA 92069

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)].

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Mark A. Schultz

Mark A. Schultz  
2280 Alta Vista Drive  
Vista, CA 92084

Dated: January, 25 1996

Citizenship: USA

Applicant: MARK A. SCHULTZ  
For: "APPARATUS AND METHOD FOR DRAINING  
CLEANING AND FILLING AN AQUARIUM"

OATH, POWER OF ATTORNEY AND DECLARATION

As below named inventor, I hereby declare as follows:

My residences, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: "APPARATUS AND METHOD FOR DRAINING, CLEANING AND FILLING AN AQUARIUM"; that

I have reviewed and understand the content of the attached specification including the claims as amended by any amendment specifically referred to in the oath or declaration; that

I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 CFR 1.56(a), that I acknowledge my duty to disclose to the Office all information known to me to be material to patentability as defined in 37 CFR 156 which became available between the filing dates of the prior applications and the national or PCT international filing date of the continuation-in-part application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows: NONE; that

(1) I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: JOHN J. MURPHEY, Registration No. 24,896, MURPHEY LAW OFFICES; Pacific Center One, Suite 260, 701 Palomar Airport Road, Carlsbad, CA 92009-1027. Address all telephone calls to: JOHN J. MURPHEY, (619) 431-0091.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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